IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4307 OF 1997

Maharashtra State Road
Transport Corporation .. Petitioners.

Vs.

State of Maharashtra & Ors. .. Respondents.

Mr.G.S.Hegde for the petitioners.
Mr.P.M.Patil AGP for respondent no.1.

CORAM : B.H.MARLAPALLE & D.B.BHOSALE, JJ.
DATED : APRIL 7, 2006.

P.C:

. The Municipal Council, Chiplun had issued the declaration by way of public notification published in a local newspaper of 12.6.1997 regarding the road of 10 ft. width from behind the petitioners' premises as per its resolution no.36 passed on 29.6.1996 and the said resolution is the subject matter of the challenge in this petition. While granting Rule, the impugned resolution came to be stayed by this Court on 24.8.1998 and consequently it has remained stayed all throughout.

2. We allow the petition partly and make the Rule absolute in terms of the interim relief

granted and we direct the Municipal Council to hear the petitioners as well other parties concerned in case the Municipal Council still deems it necessary to go ahead with the proposed road. This should be done as expeditiously as possible and preferrably within six months.

(D.B.BHOSALE, J.) **(B.H.MARLAPALLE, J.)**